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TO THE U.S. PATENT AND TRADEMARK OFFICE

PLEASE DELIVER TO ATTN: Examiner M.A. Belyavskyi

Concerning the following application:

ATTORNEY DOCKET NO.: 3284/1235

Application of:	Habener, et al	Examiner:	M.A. Belyavskyi
Serial No.:	09/963,875	Group Art Unit:	1644
Filed:	September 26, 2001		
Entitled:	Stem Cells of the Islets of Langerhans and Their Use in Treating Diabetes Mellitus	Conf. No.:	9674

Facsimile No.: 703 872 9306

Our Facsimile No.: 1-617-227-4420

Number of pages including cover sheet: 16

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CERTIFICATION

I hereby certify that the paper identified above is being facsimile transmitted to the U.S. Patent and Trademark Office, on the date indicated below.

Date: August 6, 2004


Name: Barbara Gyure
Registration No.: 34,614
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100

Atty. Docket No.: 3284/1235

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Habener, et al.
Serial No.:	09/963,875
Filed:	September 26, 2001
Titled:	STEM CELLS OF THE ISLETS OF LANGERHANS AND THEIR USE IN TREATING DIABETES MELLITUS

Examiner:	M.A. Belyavskyi
Group Art Unit:	1644
Conf. No.:	9674

CERTIFICATE OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. § 1.6d

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Melissa Powers
 Name of Person Faxing

Signature of Person Faxing Paper

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice of Non-Compliant Amendment mailed July 7, 2004

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 3284/1235. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: August 6, 2004


 Name: Barbara Gyure
 Registration No.: 34,614
 Customer No.: 29933
 Palmer & Dodge LLP
 111 Huntington Avenue
 Boston, MA 02199-7613
 Tel. (617) 239-0100

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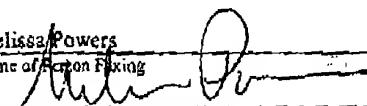
Atty. Docket No.: 3284/1235 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

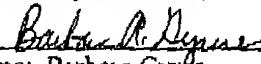
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This Amendment is being filed in response to the Notice of Non-Compliant Amendment mailed from the U.S. Patent and Trademark Office on July 7, 2004 in the above-identified application.

Listing of The Claims:

1. (Cancelled) A method of treating a patient with diabetes mellitus, comprising the steps of:
 - (a) isolating a nestin-positive pancreatic stem cell from a pancreatic islet of a donor; and
 - (b) transferring the stem cell into the patient, wherein the stem cell differentiates into an insulin-producing cell.